

EDWARD H. KUBO, JR. #2499
United States Attorney
District of Hawaii

J. MICHAEL SEABRIGHT #3753
Assistant U.S. Attorney

WILLIAM L. SHIPLEY
Assistant U.S. Attorney
Room 6-100, PJKK Federal Building
300 Ala Moana Boulevard
Honolulu, Hawaii 96850
Telephone: (808) 541-2850
Facsimile: (808) 541-2958
Email: William.Shipley@usdoj.gov

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAY 29 2003
at 12 o'clock and 00 min. P
WALTER A. Y. H. CHINN, CLERK

Attorneys for Plaintiff
UNITED STATES OF AMERICA

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,)	CR. NO.
)	CR 03-00277 HG
Plaintiff,)	INDICTMENT
)	
vs.)	18 U.S.C. § 371
)	[Conspiracy to Commit Access
KAZUTAKA KANIWA (01),)	Device Fraud]
ATSUHIRO NISHIURA (02), and)	
YOSHIKI ENOMOTO (03),)	
)	
Defendants.)	
)	

INDICTMENT

The Grand Jury charges that:

KAZUTAKA KANIWA,
ATSURHIRO NISHIURA, and
YOSHIKI ENOMOTO

defendants herein, beginning on a date not known to the Grand Jury, but not later than on or about May 16, 2003, and ending on that same date, did knowingly conspire with each other and with

others known and unknown to the Grand Jury, in the District of Hawaii and elsewhere, to commit an offense against the United States, that is, fraud in relation to the use of access devices, in violation of Title 18, United States Code, Section 1029(a)(2).

Overt Acts in Furtherance of the Conspiracy

In furtherance of the conspiracy to affect the objects thereof, defendants KAZUTAKA KANIWA, ATSURHIRO NISHIURA, and YOSHIKI ENOMOTO committed overt acts in the District of Hawaii and elsewhere, including but not limited to the following:

1. On or about May 16, 2003, Defendants KANIWA, NISHIURA, and ENOMOTO traveled from Tokyo, Japan to Honolulu, Hawaii, with each defendant in possession of one or more counterfeit credit cards.

2. On or about May 16, 2003, Defendants KANIWA, NISHIURA, and ENOMOTO, after their arrival in Honolulu, Hawaii, checked into the Sheraton Waikiki, 2236 Kalakaua Ave, Honolulu, Hawaii.

3. On or about May 16, 2003, Defendant KANIWA received a series of calls on his cellular telephone, and received instructions to go to a nearby retail merchant and purchase five specific Rolex watches using counterfeit credit cards to make payment.

4. On or about May 16, 2003, Defendant KANIWA received a call on his cellular telephone and received instruction to go to another retail merchant and purchase a specific Cartier watch using counterfeit credit cards to make payment.

5. On or about May 16, 2003, Defendants KANIWA, NISHIURA and ENOMOTO purchased five Rolex watches from the "Christopher James" merchant in Honolulu, Hawaii, for a total of approximately \$64,052.00, and used nine different counterfeit credit cards to make payment.

6. On or about May 16, 2003, Defendants KANIWA, NISHIURA and ENOMOTO purchased a watch from the Cartier store in Honolulu, Hawaii, for a total of approximately \$6,032.00, and used two different counterfeit credit cards to make payment.

///

///

///

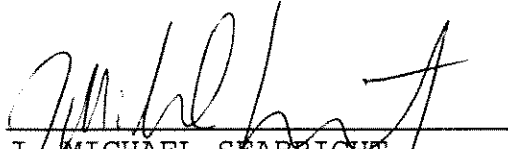
All in violation of Title 18, United States Code
Sections 371.

DATED: May 29, 2003, at Honolulu, Hawaii.

A TRUE BILL

151
FOREPERSON, GRAND JURY

EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii


J. MICHAEL SEABRIGHT
Assistant U.S. Attorney


WILLIAM L. SHIPLEY
Assistant U.S. Attorney

United States V. Kazutaka Kaniwa
Cr. No. _____
"Indictment"